

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 v. Plaintiff

5 DEVARIAN HAYNES,

6 Defendant

Case No. 2:20-cr-00126-APG-VCF

**7 ORDER**

[ECF No. 191]

8 Defendant Devarian Haynes moves for permission to appear by video at his sentencing  
9 hearing. ECF No. 191. The Government does not oppose. *Id.*

10 Video appearances for pleas and sentencing are disfavored. However, under Amended  
11 Temporary General Order 2020-05 (03/28/22), I may allow a video appearance if I find that the  
12 plea or sentencing “cannot be further delayed without serious harm to the interests of  
13 justice . . . .” Mr. Haynes is currently under an order of home incarceration in the Southern  
14 District of Texas. That order requires that when Mr. Haynes travels to Nevada for a hearing, he  
15 must be accompanied by an adult pre-approved by the Pretrial Services Office. It would be a  
16 hardship for Mr. Haynes to travel to Nevada for the sentencing hearing, due to the time and  
17 expense of travel for him both and a custodian. After being sentenced, Mr. Haynes will request a  
18 delayed surrender date, which the Government does not oppose. So Mr. Haynes likely will not  
19 be taken into custody at the sentencing hearing and will need to travel back to Texas. Thus,  
20 delaying the hearing would not change the circumstances and would seriously harm the interests  
21 of justice, as the increased costs and burdens of travel to Nevada for a short sentencing hearing  
22 are not justified.

1 I THEREFORE ORDER that Mr. Haynes' motion (**ECF No. 191**) is GRANTED. Mr.  
2 Haynes is allowed to appear via videoconference for his sentencing hearing scheduled for June  
3 22, 2022, at 11:30 am.

4 DATED THIS 8th day of June, 2022.

5   
6 Andrew P. Gordon  
7 UNITED STATES DISTRICT JUDGE

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